

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

SAMMY BAEZ-FIGUEROA,

Petitioner,

v.

Civil No. 14-1600 (FAB)

ATTORNEY GENERAL OF THE
COMMONWEALTH OF PUERTO RICO,

Respondent.

MEMORANDUM AND ORDER

BESOSA, District Judge.

A district court may refer a pending dispositive motion to a magistrate judge for a report and recommendation. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b)(1). Any party may file written objections to the report and recommendation, and a party that files a timely objection is entitled to a *de novo* determination of those portions of the report to which specific objections are made. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2)-(3). Failure to object to the magistrate judge's report waives the party's right to review by the district court. Davet v. Maccarone, 973 F.2d 22, 31 (1st Cir. 1992). In conducting its review, the court is free to "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); accord Fed. R. Civ. P. 72(b)(3).

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On August 4, 2015, the petitioner filed a petition for habeas corpus against the Attorney General of the Commonwealth of Puerto Rico, attacking the decisions of the state courts which handled his case. (Docket No. 1.) The Attorney General filed a motion to dismiss the petition (Docket No. 17) and the petitioner opposed (Docket No. 28.)

Magistrate Judge Justo Arenas issued a thorough Report and Recommendation ("R & R") in which he analyzed each issue presented by the petitioner, recommending that the petition be denied and that no certificate of appealability be issued. (Docket No. 34.) The parties had until September 8, 2015, to object to the R & R, and neither party filed objections.

The Court has made an independent examination of the entire record in this case and **ADOPTS IN FULL** the magistrate judge's findings and recommendations (Docket No. 34.) Petitioner Sammy Baez-Figueroa's petition for a writ of habeas corpus (Docket No. 1) is **DENIED**.

Judgment shall be entered accordingly.

Because petitioner has not made a substantial showing of the denial of a constitutional right, no certificate of appealability shall issue. 28 U.S.C. § 2253(c)(2).

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IT IS SO ORDERED.

San Juan, Puerto Rico, September 15, 2015.

s/ Francisco A. Besosa
FRANCISCO A. BESOSA
UNITED STATES DISTRICT JUDGE